

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

OCTOBER 21, 2008

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
- 3. CONSENT AGENDA (Pages 7 - 38)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 39)**
- 5. REGULAR AGENDA (Pages 40 - 42)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to receive and file:

A) Resolution No. 2008-70 of the Village Council of the Village of Palm Springs, Florida, urging the 2009 Florida Legislature to equalize funding based on population to provide each region of Florida, including South Florida, its fair share of State funding; and

B) Resolution No. 2008-2695 of the City Commission of the City of Belle Glade, Florida, supporting funding for the Glades Regional Hospital.

2. Staff recommends motion to approve: grants in a total amount not to exceed \$30,000 for the Handicapped Accessibility and Awareness Program with the following non-profit agencies, in the amounts and for the services indicated for the period October 1, 2008, through September 30, 2009:

A) Coalition for Independent Living Options funds to cover the cost of installing outdoor lighting in its parking lot in an amount not to exceed \$5,000;

B) The Arc of Palm Beach County to cover a portion of the costs for the conversion of an existing restroom to meet ADA standards in an amount not to exceed \$5,000;

C) Palm Beach Habilitation Center, Inc. to cover a portion of cost to purchase six (6) ADA height commercial water closets in an amount not to exceed \$5,000;

D) Deaf Service Center of Palm Beach County to cover a portion of the expenses for printing and disseminating information to the hearing impaired in an amount not to exceed \$5,000;

E) YMCA of the Palm Beaches to purchase a hydraulic pool chair lift in an amount not to exceed \$3,842;

F) Seagull Industries for the Disabled, Inc. to cover a portion of the costs needed to purchase two (2) accessible vans in an amount not to exceed \$5,000; and

G) Quality of Life Foundation, Inc. to cover the cost of office supplies in an amount not to exceed \$1,158.

SUMMARY: The funds for this grant are derived from funds collected from parking violations in designated parking spaces. County Ordinance No. 92-29 provides that revenue from these fines shall be used to improve accessibility and equal opportunity to qualified physically disabled persons in the County and to provide funds to conduct public awareness programs concerning physically disabled persons. Countywide (TKF)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.

2. Staff recommends motion to approve: the following final minutes of the Board of County Commissioners' meetings:

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	July 8, 2008
Workshop	July 15, 2008
Zoning	July 24, 2008

3. **CONSENT AGENDA APPROVAL**

B. **CLERK & COMPTROLLER (Cont'd)**

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

C. **ENGINEERING & PUBLIC WORKS**

1. **Staff recommends motion to approve:**

A) a \$21,837.26 Task Agreement to the Municipal Service Taxing Unit (MSTU) Districts "A through E" Annual Engineering Agreement with Civil Design, Inc. (CDI) for engineering, surveying, and permitting services for design and construction plans for 'A' Street paving and drainage improvements, Project Number 2006132; and

B) a Budget Transfer of \$27,338 in the MSTU District C Fund from Reserves to 'A' Street, from Kirk Road to its eastern terminus prior to Corrigan Court.

SUMMARY: Approval of the Budget Transfer will provide funds for CDI to perform engineering, surveying, and permitting services for design and construction plans for 'A' Street, from its western terminus at Kirk Road to its eastern terminus prior to Corrigan Court, paving and drainage improvements. District 3/MSTU District C (MRE)

2. **Staff recommends motion to approve:**

A) a \$65,543.39 Task Agreement to the Annual Municipal Service Taxing Unit (MSTU) Districts "A through E" Engineering Agreement with Civil Design, Inc. (CDI) for engineering, surveying, and permitting services for design and construction plans for Coconut Road paving and drainage improvements, Project Number 2005126, and

B) a Budget Transfer of \$80,044 in the MSTU District C Fund from Reserves to Coconut Road from the L-13 Canal to Lake Worth Road.

SUMMARY: Approval of the Budget Transfer will provide funds for CDI to perform engineering, surveying, and permitting services for design and construction plans for Coconut Road, from the north terminus at Lake Worth Road to its south terminus at Lake Worth Drainage District L-13 Canal (approximately 2,685 linear feet), paving and drainage improvements. District 3/MSTU District C (MRE)

3. **Staff recommends motion to approve:** a Contract not to exceed the total value of \$8,543,000 for task orders which may be issued for the Annual Pathway & Minor Construction Contract (Contract), Project No. 2009053, with Charles S. Whiteside, Inc. (Contractor), the lowest, responsive, responsible bidder. **SUMMARY:** Approval of this Contract will provide for construction and/or resurfacing of pathways, construction of parking areas, speed humps, traffic separators, miscellaneous concrete works and other minor construction projects required by various County Departments on an as needed basis. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the project by the Contractor is 21.6% overall. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to approve:

A) a Bill of Sale to the Town of Jupiter (Town) for a water main constructed in Limestone Creek, Project No. 2002055 (Project); and

B) a Bill of Sale to the Loxahatchee River Environmental Control District (District) for sanitary sewer lines and a lift station constructed as part of the same Project.

SUMMARY: Approval of the Bills of Sale will release the water main, sanitary sewer lines and lift station to the Town and District for future maintenance. District 1 (MRE)

5. Staff recommends motion to approve: Amendment No. 2 to the Public Facilities Agreement (Agreement) with Toll Brothers, Inc./Palm Beach Limited Partnership (Toll) regarding the funding and construction of Lyons Road from Linton Boulevard to West Atlantic Avenue (Project). This Amendment will extend the Project completion date by four (4) months, to February 28, 2009. **SUMMARY:** Toll is the developer of a project known as Mizner Country Club located on the east side of Lyons Road, south of Linton Boulevard. Toll is required by Development Order to construct the Project. Due to unforeseen utility delays, Toll has requested an extension of the completion date from October 29, 2008, to February 28, 2009. District 5 (MRE)

6. Staff recommends motion to approve: Agreements with Dunkelberger Engineering & Testing, Inc. and Nodarse & Associates, Inc. to provide the necessary professional testing lab services on a task order basis, for Countywide projects, as required. **SUMMARY:** Approval of these Agreements will provide the necessary professional testing lab services throughout Palm Beach County (County) for all user departments. At the option of the County, these Agreements can be renewed annually for a period of one (1) year, with a maximum of two (2) renewals. Countywide (PK)

7. Staff recommends motion to approve: an Interlocal Agreement with the School Board of Palm Beach County (School Board) for the design and construction of improvements to Stacy Street, Project No. 2008904, to accommodate the new elementary school being constructed by the School Board. **SUMMARY:** The Interlocal Agreement stipulates that Palm Beach County (County) will fund the reconstruction of Stacy Street, including the paving, drainage and sidewalk construction, and the signalization of the proposed intersection of Stacy Street at Haverhill Road. The County has established funding for the improvements with the exception of a right turn lane on Haverhill Road and the drainage retention areas which are to be funded by the School Board. District 2 (MRE)

8. Staff recommends motion to adopt: two (2) Resolutions declaring the acquisition of properties designated as Parcel 105 as a partial fee simple acquisition for road right-of-way and Parcel 305 as a temporary construction easement necessary for the widening and construction of improvements on Boca Rio Road, from Palmetto Park Road to Glades Road. **SUMMARY:** This action will adopt two (2) Resolutions to authorize the filing of eminent domain proceedings against two (2) parcels whose total estimated appraised value is \$116,100. District 5 (PM)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

9. Staff recommends motion to approve: a Budget Transfer of \$25,000 in the Transportation Improvement Fund from Reserve for District 5 to Flavor Pict Road and Jog Road Right Turn Lane – District 5. **SUMMARY:** Approval of the Budget Transfer will provide funds to pay for the construction of a right turn lane on the west approach of Flavor Pict Road and Jog Road. District 5 (MRE)
10. Staff recommends motion to approve: Supplemental Agreement No. 1 to Project No. 2004507 under contract R2005-1455 in the amount of \$237,723.74 with K-F Group, Inc. for professional services. **SUMMARY:** This Supplemental Agreement will provide the services necessary for the preparation of design plans and construction bid documents for replacement of the Royal Palm Beach Boulevard Bridge over the M Canal, and intersection improvements at 60th Street and Royal Palm Beach Boulevard. District 6 (PK)
11. Staff recommends motion to approve: an Interlocal Agreement with the Town of Cloud Lake (Town), Project No. 1987078, for the transfer of a parcel of land (PCN 10 43 44 0501 005 0101) (Parcel) to the Town. **SUMMARY:** The Town is desirous of obtaining the Parcel of land in order to enhance the esthetics of, and provide a noise barrier for, the Town. The Parcel, currently owned by Palm Beach County (County), was purchased by the County to be used for improvements to the Stub Canal. This Agreement will permit both the County and Town the use of the Parcel for those improvements. District 3 (MRE)
12. Staff recommends motion to approve: Change Order No. 1 in the amount of \$107,093.20, together with a 30-day time extension, to Contract No. R2008-0588 with J.W. Cheatham, LLC for construction of Haverhill Road from 45th Street to north of Northern Palm Beach County Improvement District EPB-10 Canal. **SUMMARY:** Change Order No. 1 is compensation for additional cost encountered due to utility conflicts with the City of Riviera Beach Utilities. District 7 (MRE)
13. Staff recommends motion to approve: Change Order No. 3 in the amount of \$1,977,035.15 to Contract No. R2008-0499 with Ranger Construction Industries, Inc. for construction of Okeechobee Boulevard from Royal Palm Beach High School Entrance to east of Florida's Turnpike. **SUMMARY:** Change Order No. 3 is for the construction of a portion of a 36" reclaimed water main along the west portion of the project. District 2 (MRE)
14. Staff recommends motion to approve: Supplemental Agreement No. 9 to Project No. 2003507 under contract R2004-0192 in the amount of \$158,790.61 with Miller-Legg and Associates, Inc. for professional services. **SUMMARY:** Approval of this Supplemental Agreement will provide the services necessary for the preparation of plan revisions for Congress Avenue from Lantana Road to south of Melaleuca Lane. District 3 (PK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to authorize: a Settlement as to Parcels 25, 801, 901, 903, and 904, in the amount of \$1,169,168.75, in the eminent domain proceeding entitled Palm Beach County v. Lloyds Service Center, Inc., et al, Case No.: 50 2008 CA 029294XXXMB AB, for the improvement of West Atlantic Avenue. **SUMMARY:** This action would authorize a settlement as to the acquisition of parcel in fee simple, one permanent easement, and three temporary construction easements proposed to be acquired for the construction and improvement of West Atlantic Avenue, from west of Lyons Road to Starkey Road and a portion of Lyons Road just north of West Atlantic Avenue (Project No. 2004602), by paying \$950,000 for the property acquired and any and all damages and costs to cure any damages, \$138,998.75 in attorney's fees, and \$80,000 in expert fees and costs, plus \$170 in fees of the clerk of the court. District 6 (PM)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: Use of Facility Agreement with the Village of Royal Palm Beach to provide a congregate meal site for the elderly effective July 1, 2008, through June 20, 2018. **SUMMARY:** This Agreement will enable the Division of Senior Services (DOSS) to operate a congregate dining site for the elderly in Royal Palm Beach at the Cultural Center located at 151 Civic Center Way at no cost to the County for space or energy usage. DOSS will operate the site and provide the meals. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)
2. Staff recommends motion to approve: Amendment No. 1 to contract with Comprehensive AIDS Program, Inc. (R2008-0951), for the period March 1, 2008, through February 28, 2009, increasing the contract amount by \$59,296 for a new not-to-exceed total of \$1,247,174, for Ryan White Part A HIV Health Support Services. **SUMMARY:** Carryover funds have been granted from the U.S. Department of Health and Human Services under the Ryan White Treatment Modernization Act of 2006. The Priorities and Allocations Committee of the HIV Care Council has determined that the funding is to be allocated to Comprehensive AIDS Program of Palm Beach County, Inc. for medical case management. No County funds are required. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve:

A) Second Amendment to Airport Ground Lease Agreement with Avis Rent A Car System, LLC, (Avis), extending the term to December 31, 2009 for rental in the amount of \$454,769.94;

B) Second Amendment to Airport Ground Lease Agreement with DTG Operations, Inc. (Thrifty), extending the term to December 31, 2009 for rental in the amount of \$399,772.76;

C) a Budget Transfer of \$150,000 in the Airports Improvement and Development Fund, establishing budget for improvements, including a transfer from Reserves; and

D) a Budget Amendment of \$202,784 in the Airports Operating Fund, increasing Revenues and Reserves.

SUMMARY: The Airport Ground Lease Agreements with Avis (R88-314) and Thrifty (R93-1267D) for on-airport rental car facilities at Palm Beach International Airport expire on October 23, 2008. The amendments extend the term of the leases to December 31, 2009. Each facility has improvements, including administrative offices and vehicle maintenance facilities, which will become the property of the County upon expiration of the leases. Because the County did not own the improvements, Avis and Thrifty were only obligated to pay ground rent. The amendments require Avis and Thrifty to pay rent for the improvements in addition to ground rent in the amount of \$185,423.84 for Avis and \$165,088.84 for Thrifty. The Department anticipates issuing a competitive solicitation for the rental car facilities next year and has requested the companies make certain improvements and repairs to the facilities to increase the marketability of the sites. Avis and Thrifty will complete the improvements to the facilities prior to the expiration of the leases. The County will provide a rent credit in amount not to exceed \$100,000 for Avis and \$50,000 for Thrifty for certain improvements identified in the amendment as eligible for rental credit, which include upgrading underground oil lines that will not be in compliance with the Florida Department of Environmental Protection's (FDEP) December 2009 upgrade requirements and repairing worn pavement areas. Rental credit amounts were based upon estimates to complete the work. Other general repair and maintenance items, such as painting and replacement of flooring, will be completed by the companies at no cost to the County. Approval of the amendments will result in increased rental revenue to the County and necessary updates to the rental car facilities. Countywide (JB)

2. Staff recommends motion to approve: the Seventh Amendment to the Terminal Building Lease Agreement (R2003-0355) with the General Services Administration (GSA), an Executive Agency of the United States of America, extending the term of the Agreement three (3) years to October 31, 2011 for an initial annual rental of \$301,441.80. **SUMMARY:** This Amendment provides for a three (3) year extension to the term of the Agreement for space leased at the Palm Beach International Airport (PBIA) Terminal building for use by the Transportation Security Administration (TSA). Rentals are subject to adjustment each October 1st concurrent with adjustment of airline rates and charges. Countywide JMB

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to approve: Change Order No. 3 to the contract with Hypower, Inc. in the amount of \$59,500 and an additional 56 calendar days for the Roadway, Parking and Terminal Signage Replacement/Improvement Plan Project at Palm Beach International Airport (PBIA). **SUMMARY:** On May 15, 2007, the BCC approved the construction contract (R2007-0760) with Hypower, Inc, Inc. for construction services for the Roadway, Parking and Terminal Signage Replacement/Improvement Plan Project at PBIA in the amount of \$1,807,455. Change Orders 1-2 were approved by the contract Review Committee for a net increase to the contract in the amount of \$79,263 and an extension of 105 calendar days. Approval of this Change Order will increase the total contract price by \$59,500 and extend the contract time by 56 calendar days. The Small Business Enterprise (SBE) participation for this Change Order is 93.41%. The total SBE contract goal including all change orders is 44.61%. Countywide (JCM)

4. Staff recommends motion to approve: Change Order No. 17 to the contract with James A. Cummings, Inc. decreasing the contract in the amount of \$372,442.90 for the Long Term Parking Garage No. 2 at Palm Beach International Airport (PBIA). There is no change in time for Change Order No. 17. **SUMMARY:** On May 16, 2006, the BCC approved the construction contract (R2006-0842) with James A. Cummings, Inc. for construction services for the Long Term Parking Garage at PBIA in the amount of \$61,666,000. Change Orders 1-16 were approved for a net decrease to the contract in the amount of \$24,662,885 which included the deletion of an estimated \$26 million in materials that were directly purchased by the owner for tax savings. Approval of Change Order No. 17 decreases the contract in the amount of \$372,442.90 that is requested to reconcile costs to the contract due to differences in code interpretations, agency requests or omissions in design and direct purchased materials with as-built quantities. Change Order No. 17 will cover items described in the attached summary sheet containing description, summary explanation and cost for each item as submitted in the contract change proposals by James A. Cummings, Inc. The total SBE contract goal including all change orders is 15.17%. Countywide (JCM)

5. Staff recommends motion to adopt: a Resolution authorizing the County Administrator, or his designee, to execute a standard form Hangar Lease Agreement for use at the North County General Aviation Airport (North County Airport) and Palm Beach County Glades Airport (Pahokee Airport); establishing a rental rate for T-hangars at the Pahokee Airport; authorizing the County Administrator or his designee to increase rental rates for T-hangars at the Pahokee Airport; repealing Resolutions 2003-0522, 2003-0751 and 2003-1047; and becoming effective upon adoption. **SUMMARY:** The Resolution authorizes the County Administrator or his designee to execute a new standard form Hangar Lease Agreement for use at the North County and Pahokee Airports. The Resolution repeals prior resolutions adopting similar standard form hangar lease agreements for use at the airports. The Resolution also establishes a monthly rental rate of \$275 for the lease of T-hangars at the Pahokee Airport and authorizes the County Administrator or his designee to annually increase the rental rate by an amount not to exceed the greater of fair market rental as determined by an appraisal or three percent per year. Countywide (JB)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. Staff recommends motion to approve: Agreement to Terminate Development Site Lease Agreement with Hyperion Farms, LLC (Hyperion) (Termination Agreement) for the lease of property at the North County General Aviation Airport, terminating the Development Site Lease Agreement (R2006-0337) (Lease), effective November 1, 2008. **SUMMARY:** The Lease required Hyperion to construct a hangar and associated improvements no later than August 28, 2008. Construction has not started, and Hyperion has asked to terminate the Lease. The Termination Agreement provides for termination of the Lease effective November 1, 2008, and for Hyperion to pay a termination fee in the amount of \$8,500. The Department does not object to termination of the Lease and anticipates issuing a competitive solicitation for the lease of property at the North County General Aviation Airport next year. Countywide (JB)

7. Staff recommends motion to approve:

A) Amendment No. 4 to the General Consulting Agreement with The LPA Group, Incorporated for Consulting/Professional Services in the amount of \$400,000 and to exercise the first one (1) year renewal option for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program; and

B) a Budget Transfer of \$400,000 in the Airports Improvement and Development Fund for Consulting/Professional Services.

SUMMARY: The Consulting Agreement (R2006-2418) with The LPA Group, Incorporated for general airport planning and design was approved on November 20, 2006 in the amount of \$1,420,544 in order to carry out the approved Capital Improvement Programs for the County's Airports. The Agreement is for two (2) years with two (2) – one (1) year renewal options. Amendments 1-3 were approved for a net increase in the amount of \$3,556,731.50. Approval of Amendment No. 4 in the amount of \$400,000 will provide funds to complete miscellaneous planning, engineering and construction services, including possible construction management services for several projects currently under design, as well as various planning and engineering tasks that may arise. This Amendment will also allow the County, at its sole discretion, to exercise the first one (1) year renewal option for the continuation of services provided under this Agreement. Certain tasks performed during the term of this Amendment may be eligible for State and Federal grant participation. The Disadvantaged Business Enterprise (DBE) Goal for the one (1) year renewal option is 25%. The DBE participation for this Amendment is 0.0%. The total DBE contract goal including all amendments is 17.91%. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

8. Staff recommends motion to approve:

A) a Construction Manager Authorization for Task No. M-2 under the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. in the amount of \$2,058,000 for construction phase services to re-construct the Fixed Base Operator (FBO) terminal and maintenance hangar building at Palm Beach County Glades Airport (PHK); and

B) a Budget Amendment of \$774,553 in the Airports Improvement and Development Fund to establish budget for Florida Department of Transportation (FDOT) Grant Funding and to establish the project expenditure budget of \$2,058,000; including a transfer from Reserves in the amount of \$1,283,447.

SUMMARY: The Department of Airports requested proposals for CM at Risk Services for miscellaneous repair, replacement and improvement projects to be completed at Palm Beach International Airport (PBI), Lantana Airport (LNA), North County General Aviation Airport (F45) and Pahokee Airport (PHK). Based on this request, eight (8) proposals were received on October 2, 2007 and two (2) firms were selected. On May 20, 2008, the Board approved contracts with the firms of The Morganti Group, Inc. (R2008-0850) and David Brooks Enterprises, Inc. (R2008-0848) to provide these services. Task No. M-1 for The Morganti Group, Inc. was approved by the Board on May 20, 2008 (R2008-0850.1) in the amount of \$1,089,000. The services provided in this Construction Manager Authorization constitute the second task to be assigned to The Morganti Group, Inc. Task No. M-2 is in the amount of \$2,058,000 and establishes a construction time of 270 calendar days. Reserves used for this project were funded by insurance proceeds received for damages incurred by 2004-2005 hurricanes. The Small Business Enterprise (SBE) participation for this Task is .09%. The total SBE contract participation including Task M-2 is .43%. Countywide (JCM)

9. Staff recommends motion to receive and file: three (3) original Agreements for the Department of Airports:

A) License Agreement with Palm Beach Transportation Group, LLC to use Airport Property, commencing September 12, 2008, expiring October 31, 2008, automatically extended on a month-to-month basis thereafter (JB);

B) License Agreement with Vanguard Car Rental USA, Inc. to use Airport Property exclusively for short term storage of operable vehicles, commencing September 7, 2008, expiring September 30, 2008 (JB); and

C) Consent to Sublease for Northwest Airlines, Inc. with JET Aircraft Maintenance, Inc. commencing April 24, 2008 (JB).

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the BCC in R94-1453D and R2007-2070. Countywide

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to:

A) appoint Greenberg Traurig as Bond Counsel and Nabors Giblin as Disclosure Counsel for the Series 2009 Water & Sewer Revenue Bonds to be issued under the Reclaimed Water Agreement with Florida Power and Light dated May 20, 2008; and

B) approve the Bond Counsel Agreement with Greenberg Traurig, P.A.

SUMMARY: On May 20, 2008, the Board approved: A) Reclaimed Water Agreement with Florida Power and Light (FP&L) to supply reclaimed water for the West County Energy Center; B) Interlocal Agreement with East Central Regional Wastewater Treatment Facilities Operation Board and the City of West Palm Beach (WPB) related to the construction, operation and maintenance of reclaimed water facilities; C) Interlocal Agreement with WPB related to reclaimed water service and various Consultant Services Agreements (R2008-0906 through R2008-0911) related to the projects. The bonds are expected to be issued in April 2009 and FP&L has requested that the County appoint Bond Counsel to provide legal guidance with respect to the bonds. The above firms are next on the rotation list for Bond Counsel and Disclosure Counsel. The Agreement for Bond Counsel services with Greenberg Traurig (appointed as County Bond Counsel on October 7, 2008) should be approved at this meeting. Countywide (PFK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 2 to contract with DCOTA Contracting, Inc. (R2006-2218) to implement the second renewal of an annual Residential Contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract-Residential which was awarded to DCOTA Contracting, Inc. as one (1) of seven (7) approved participants. The contractor will continue to perform on projects for various facilities. The annual Residential Contract is an indefinite-quantity Contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of term. All terms of the original Contract remain in effect. This is the second of four (4) extensions allowed by the Contract. SBE goals for the residential contracts are 15%. DCOTA's participation for work orders issued to date is 23.5%. (FD&O Admin) Countywide (JM)

2. Staff recommends motion to approve: Amendment No. 2 to contract with Andrea Construction, Inc. (R2006-2214) to implement the second renewal of an annual Residential Contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract-Residential which was awarded to Andrea Construction, Inc. as one (1) of seven (7) approved participants. The contractor will continue to perform on projects for various facilities. The annual Residential Contract is an indefinite-quantity Contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of term. All terms of the original Contract remain in effect. This is the second of four (4) extensions allowed by the Contract. SBE goals for the Residential Contracts are 15%. Andrea's participation for work orders issued to date is 100%. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Amendment No. 2 to contract with All-Site Construction, Inc. (R2006-2215) to implement the second renewal of an annual Residential Contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract-Residential which was awarded to All-Site Construction, Inc. as one (1) of seven (7) approved participants. The contractor will continue to perform on projects for various facilities. The annual Residential Contract is an indefinite-quantity Contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of term. All terms of the original Contract remain in effect. This is the second of four (4) extensions allowed by the Contract. SBE goals for the Residential Contracts are 15%. All-Site's participation for work orders issued to date is 100%. (FD&O Admin) Countywide (JM)

4. Staff recommends motion to approve: Amendment No. 2 to contract with Joe Schmidt Construction, Inc. (R2006-2217) to implement the second renewal of an annual Residential Contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract-Residential which was awarded to Joe Schmidt Construction, Inc. as one (1) of seven (7) approved participants. The contractor will continue to perform on projects for various facilities. The annual Residential Contract is an indefinite-quantity Contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of term. All terms of the original Contract remain in effect. This is the second of four (4) extensions allowed by the Contract. SBE goals for the Residential Contracts are 15%. Schmidt's participation for work orders issued to date is 100%. (FD&O Admin) Countywide (JM)

5. Staff recommends motion to approve: Amendment No. 1 to the contract with Hedrick Brothers Construction, Inc. (R2007-1506) for construction management services for the Dubois historic home renovations establishing a Guaranteed Maximum Price (GMP) in the amount of \$357,850. **SUMMARY:** Amendment No. 1 is for the Dubois historic home renovations and establishes a GMP of \$357,850 and 98 calendar days to complete the construction. The work included in this Amendment will harden the exterior and make the building water tight. The GMP includes the cost of work, the Construction Manager's fee associated with the work, and a contingency. The SBE goal for this contract is 15%. The participation for this project is 0%. There are no opportunities for SBE contractors who provide the specialized products and services needed for this historic renovation. (Capital Improvements Division) District 1 (JM)

6. Staff recommends motion to approve: Amendment No. 1 to the annual contract (R2006-2228) with L.D. Astorino Architects, Inc., for professional architectural services on a continuing contract basis. **SUMMARY:** L.D. Astorino Architects, Inc. was selected to provide professional architectural services for small construction projects generally with construction values less than \$1,000,000 associated with the Job Order Contracting system. The Board approved an annual Contract on October 17, 2006. The original Contract provided for an initial two (2) year term with three (3) – one (1) year renewal options. Amendment No. 1 would provide for services during the first renewal period. L.D. Astorino Architects, Inc. has an M/WBE-SBE participation goal of 35%. During the first year of the Contract, L.D. Astorino Architects, Inc., has achieved 34.5% participation. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: Amendment No. 1 to the contract with Catalfumo Construction, Ltd. (R2007-1217) in the amount of \$3,200,993.63 establishing a Guaranteed Maximum Price (GMP) for Palm Tran's West Palm Beach Intermodal Transit Facility (ITF). **SUMMARY:** Amendment No. 1 will implement the construction of a new bus loop with 18 bus parking spaces, a public restroom, vending services, and a passenger vehicle drop off lane adjacent to the existing Seaboard Train Station in downtown West Palm Beach. The Intermodal Transit Facility is to be operated and maintained by Palm Tran, and will enhance the public ground transportation network by bringing together the commuter rail and bus systems in a manner which facilitates transfer between the different modes of public transportation. The SBE participation goal is 15%. Catalfumo's GMP includes participation of 20.1%. The construction time is 190 calendar days. This project is funded with a State grant and no local match is required. (Capital Improvements Division) District 7 (JM)
8. Staff recommends motion to approve: a Declaration of Easement in favor of the Palm Beach County Water Utilities Department for a reclaimed water meter and appurtenant facilities to provide supplemental irrigation water for median landscaping in Vista Center. **SUMMARY:** The reclaimed water meter and appurtenant facilities are scheduled to be installed on County-owned land at the Operations and Support Center located at 2633 Vista Parkway, north of Okeechobee Boulevard and west of Florida's Turnpike. These facilities will enable the recently installed median landscaping to be irrigated with supplemental water from the County's Central Region Reclaimed Water Facility. The easement area is approximately 20 feet long and 15.5 feet wide for a total area of 312 square feet (0.007 acres). The Declaration will be recorded to provide notice of the existence and location of the easement. (PREM) District 2 (JM)
9. Staff recommends motion to approve: JOC Work Order No. 08-161 with H.A. Contracting Corp., (R2007-0944) in the amount of \$215,203.64 to provide renovations to the Yamato-kan museum building at Morikami Museum and Japanese Gardens in Delray Beach. **SUMMARY:** The work consists of interior modifications necessary to accommodate a new exhibit, staining of the exterior deck, upgraded security systems, and a new concrete monument sign. The SBE goals are 15%. The SBE participation in this Work Order is 17.46%. When the participation for this Work Order is added to H.A.'s total participation to date, the resulting values are 15.1%. The total construction duration is 120 days. This work will comply with all applicable local, state and federal codes and regulations. (FDO Admin) Countywide/District 5 (JM)
10. Staff recommends motion to approve: a First Amendment to the agreement (R2006-0074) with Barton Security Services, LLC d/b/a Allied Barton Security Systems allowing for interoperable communications through the Countywide and EMS common groups of the County's 800MHz Radio System. **SUMMARY:** The Agreement which provides the terms and conditions under which Barton can program into its radios and utilize the countywide and EMS common talk groups for certain types of inter-agency communications will expire on January 9, 2009. The Agreement provides for one (1) – three (3) year renewal but renewals require approval by both parties. Barton has approved a renewal to extend the term of the Agreement until January 10, 2012. The renewal now requires Board approval. The Agreement may be terminated by either party, with or without cause, with a minimum of eight (8) months notice. (ESS) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to approve: a Construction, Joint Use and Easement Agreement with developer GL Homes, d/b/a Boynton Beach Associates X, LLP and Boynton Beach Associates XVIII, LLP (GL Homes). **SUMMARY:** On May 18, 2004, the County and GL Homes of Florida, d/b/a Boynton Beach Associates X, LLP, entered into an Exchange and Civic Site Dedication Agreement (R2004-936), whereby developer GL Homes set aside 43.69 acres of property in western Boynton Beach for conveyance to the County and which will be used as a public civic site credit towards future GL Homes residential projects. In June 2004, 32.89 acres was conveyed to the County and a 10.8-acre civic site remains to be conveyed to the County. The final 10.8-acre portion is currently a vacant pod within the GL Homes commercial project known as the Canyons Town Center, located at the southeast corner of Boynton Beach Boulevard and Lyons Road. The Canyons Traditional Marketplace Development (TMD) conditions of approval require GL Homes to construct a multi-purpose recreational field, a temporary parking area and an amphitheater on the 10.8-acre future civic site. This Construction, Joint Use and Easement Agreement set forth the requirements and obligations of the parties with respect to the civic site and Canyons Town Center property. GL Homes' obligations under this Construction, Joint Use and Easement Agreement include: i) construction of the amphitheater, temporary parking area and the recreational field; ii) building bathrooms within the amphitheater; iii) allowing the County cross access and uninhibited parking over the Canyons site; iv) building common roads over the civic site at GL Homes' sole cost and expense; v) paying the County a \$44,000 annual maintenance contribution, subject to certain criteria, for a potential maximum of eight (8) years; and vi) reimbursing the County a proportionate share of the bathroom maintenance costs. The County's obligations include: i) paying 50% of the cost of bathroom construction within the amphitheater or \$40,000, whichever is less; ii) maintaining the bathrooms; iii) providing security, maintenance and programming for the amphitheater, temporary parking area and recreational field; iv) allowing GL Homes cross access and uninhibited parking over the 10.8-acre future County civic site; and v) upon completion of the County's first permanent County improvement on the 10.8-acre civic site, paying a 28.72% share of the annual maintenance for the rural parkway easement along Lyons Road. (PREM) District 5 (HJF)

12. Staff recommends motion to approve: a Utility Easement Agreement in favor of Florida Power & Light Company (FPL) for electrical service to the County's new Lantana Road Library. **SUMMARY:** The County is developing a new Library at the southwest corner of Lantana Road and Lawrence Road in unincorporated Lake Worth. FPL requires a utility easement for the installation of underground power lines and a pad mounted transformer to provide primary power to the new library. The easement area is 10' wide and covers an area of 617 sq. ft. This is a perpetual non-exclusive easement and is being granted to FPL at no charge, as it will provide electrical services to County facilities. (PREM) District 3 (JMB)

13. Staff recommends motion to approve: a Utility Easement Agreement in favor of Florida Power & Light Company (FPL) for electrical service to the County's new Performing Arts Pavilion located in Carlin Park, Jupiter. **SUMMARY:** The County is developing a new amphitheater on the west side of State Road A-1-A, south of Indiantown Road in the Town of Jupiter. FPL requires a utility easement for the installation of underground power lines and a pad mounted transformer to provide primary power to the new Performing Arts Pavilion. The easement area is 10' wide by 1,252' long, and contains 12,520 sq. ft. This is a perpetual non-exclusive easement and is being granted to FPL at no charge, as it will provide electrical services to County facilities. (PREM) District 1 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

14. Staff recommends motion to approve: exercise of the first option to extend the term of the Lease Agreement with Palm Beach Gardens Community Hospital, Inc. (R2004-0324) for the continued use of rooftop antenna space located on the Palm Beach Gardens Community Hospital at an annual rate of \$1/yr. **SUMMARY:** The County's Emergency Management Services currently leases rooftop space at the Palm Beach Gardens Community Hospital (PBGCH) located at 3360 Burns Road in Palm Beach Gardens, for the operation of EMS communications equipment. The initial term of the Agreement was for five (5) years, ending on February 23, 2009, with two (2) extension options, each for a period of five (5) years. This option will extend the term of the Lease Agreement for five (5) years, from February 24, 2009, through February 23, 2014. The annual rent for this extension period is \$1. (PREM) District 1 (JMB)

15. Staff recommends motion to approve: a Concessionaire Service Agreement with Tennis Insights, Inc. for operation of the Tennis & Racquetball Center located in South County Regional Park. **SUMMARY:** The Parks and Recreation Department desires to continue to provide services for the operation of the tennis and racquetball center at South County Regional Park through a concession operation. The current vendor, Tennis Insights, Inc., operates under a Contract for concession services issued through the County's Purchasing Department which expires on October 31, 2008. In August 2008, PREM advertised a Request for Proposals for the continuation of this concession. Proposals were received from three (3) respondents, Tennis Insights, Inc., Palm Tennis Management Group, LLC and Euro Tennis, Inc. A Selection Committee, consisting of four (4) representatives from the Parks and Recreation Department and one (1) from the Property and Real Estate Management Division, reviewed the proposals and ranked Tennis Insights, Inc.'s proposal the highest. Tennis Insights, Inc. shall provide services consisting of the operation of a 2,000 sq. ft. pro shop, nineteen (19) tennis courts and twelve (12) racquetball courts. The initial term of the Agreement is for three (3) years, ending October 31, 2011, with three (3) options to renew each for one (1) year. The annual rent is \$13,200, to be paid in equal monthly installments of \$1,100 with annual four percent (4%) increases. Tennis Insights, Inc. has posted a \$1,000 security deposit. The sole shareholder and principal of Tennis Insights, Inc., Peter Davis, has executed a personal guaranty of the Concessionaire Service Agreement. (PREM) District 5 (JMB)

16. Staff recommends motion to approve: a First Amendment to the Interlocal Agreement (R2003-1074) with Town of Lake Clarke Shores (Town) allowing for interoperable communications through the Countywide and EMS common groups of the County's 800MHz Radio System. **SUMMARY:** The Agreement which provides the terms and conditions under which the Town can directly access the County's 800 MHz Radio System expired on July 15, 2008. The Agreement provides for three (3) – five (5) year renewals but renewals require approval by both parties. The Town has approved a renewal to extend the term of the Agreement until July 15, 2013 as originally contemplated. The renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies. The Agreement may be terminated by either party, with or without cause. (ESS) Countywide (JM)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** a Mortgage and Note Modification Agreement with Thelma Hudson, to adjust the terms of the indebtedness created in connection with the Property Rehabilitation Program. **SUMMARY:** This Mortgage and Note Modification Agreement adjusts the terms of indebtedness created through a mortgage and promissory note, in the amount of \$9,250, executed by Ms. Hudson on December 15, 1999, in connection with funding she received through the Property Rehabilitation Program. Ms. Hudson received \$18,500 in financial assistance to rehabilitate her home at 1364 West 28th Street, Riviera Beach, FL 33404. A mortgage, in favor of Palm Beach County, in the amount of \$18,500 was taken in exchange for this assistance. The mortgage was secured by two (2) promissory notes in the amount of \$9,250 each. The terms of one (1) promissory note were set as a conditional grant with no repayment required. The terms of the second promissory note were set as a repayable loan obligating Ms. Hudson to make monthly mortgage payments. Ms. Hudson qualified and received assistance while she was employed, and her mortgage payments were based on her ability to pay relying on her income at that time. As an elderly homeowner, she is no longer able to make these payments with her fixed social security income and her pension. Authorization is requested to modify the indebtedness of \$1,335.52 created by the second promissory note from a repayable loan to a conditional grant. **The requested funds are federal Community Development Block Grant dollars that require no local match.** District 7 (TKF)

2. **Staff recommends motion to approve:** a SHIP subsidy loan of \$60,000 from the State Housing Initiative Partnership (SHIP) Program for County employee Christopher Daeumler. **SUMMARY:** Christopher Daeumler is a single male who has been employed with Palm Beach County Board of County Commissioners since 2006. The sales price of the property being purchased is \$138,000, and the appraised value of the housing unit is \$153,000. The home is located in Lake Park. Mr. Daeumler secured a first mortgage loan of \$73,080 and is eligible to receive \$60,000 in SHIP subsidy assistance. The subsidy assistance provided by Palm Beach County consists of \$60,000 in SHIP assistance secured by a mortgage and promissory note. No monthly repayment of the subsidy is required if the property remains owner-occupied by Mr. Daeumler for the next thirty (30) years. If the property is not continuously occupied by Mr. Daeumler for the next thirty (30) consecutive years, the entire \$60,000 must be repaid to Palm Beach County. The Commission on Affordable Housing Advisory Board approved this request on September 25, 2008. Countywide (TKF)

3. **Staff recommends motion to approve:** a Conditional Grant Agreement with Neighborhood Renaissance, Inc., for \$375,000 in State Housing Initiative Partnership (SHIP) Single Family Home Ownership Development Program funds. **SUMMARY:** Palm Beach County Housing and Community Development (HCD) through its Commission of Affordable Housing (CAH) provides SHIP financing to local developers to facilitate increased affordable homeownership opportunities. This Agreement provides \$375,000 toward the construction of five (5) single family homes on various sites for very low-income families. Additional project financing is being provided by Comerica Bank, Local Initiatives Support Corporation (LISC), and National City Mortgage Corporation. These homes will have a thirty (30) year affordability period. This Neighborhood Renaissance project was reviewed and recommended by the Commission on Affordable Housing's Advisory Committee on May 29, 2008; and conceptually approved by the Palm Beach County Board of County Commissioners on June 17, 2008. **These are State funds which require no local match.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

4. [Staff recommends motion to approve:](#) twenty (20) Agreements under the FY 2008-2009 Community Development Block Grant (CDBG) Program totaling \$891,251 to nineteen (19) non-profit agencies and one (1) municipality, in the amounts and for the activities indicated below, for the period October 1, 2008, to September 30, 2009:
- A)** Adopt-A-Family of the Palm Beaches, Inc. - \$32,000 for the provision of transitional housing and case management services to at least 145 homeless persons under Project SAFE;
 - B)** Aid to Victims of Domestic Abuse, Inc. - \$50,000 for the provision of transitional housing and operation of the STEPS program for up to 81 victims of domestic abuse per month;
 - C)** Children's Home Society of Florida, Inc. - \$80,400 for the provision of case management at Transitions House to benefit seven (7) homeless teenage mothers and their babies;
 - D)** Children's Place at Home Safe, Inc. - \$65,000 for the provision of emergency residential care and shelter to 160 abused and neglected children, ages newborn to 18;
 - E)** Coalition for Independent Living Options, Inc. - \$30,000 for the provision of emergency meals for 80 individuals with severe disability;
 - F)** Community Caring Center of Boynton Beach, Inc. - \$15,000 for the administrative cost to carry out the Emergency Food, Shelter and Financial Aid Program slated to benefit 450 persons;
 - G)** Faith-Hope-Love-Charity, Inc. - \$20,000 for the provision of transitional housing , case management and other residential services to at least 42 homeless veterans at the Stand-Down House facility;
 - H)** Florida Resource Center for Women and Children, Inc. - \$45,000 for the provision of emergency shelter and support services to 100 women and children who are victims of domestic violence;
 - I)** Healthy Mothers/Healthy Babies, Inc. - \$55,751 for the provision of assistance to 800 uninsured low-income pregnant women in accessing health care;
 - J)** Juvenile Transition Center, Inc. - \$25,000 to fund operating cost of the ESTEEM Ambassadors Program which will prepare seven (7) low- and moderate-income youths for ACT and SAT;
 - K)** Legal Aid Society of Palm Beach County, Inc. - \$124,800 for the provision of fair housing education, outreach, advocacy and enforcement activities in Palm Beach County through the Agency's Fair and Affordable Housing Advocacy Project. Specifically, at least 72 persons will be provided with enforcement or counseling services; 24 Fair Housing Workshops to various citizen and professional groups will be conducted; and efforts will be made to identify illegal practices in rental, sales, mortgage, insurance, and advertising. Special focus will be placed on foreclosure issues;
 - L)** Place of Hope, Inc. - \$40,000 for the provision of transitional housing and support services for 46 abused and/or neglected children in foster care at the agency's Paxton Campus;

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

4. Motion/Title Continued

M) Redlands Christian Migrant Association - \$39,547 to be used as local match for the operation of two child development centers, namely, Belle Glade Child Development Center and the RCMA Farmworker Child Development Center, to serve 169 children of migrant farmworkers;

N) Sickle Cell Foundation, Inc. - \$33,000 for the provision of an outreach program, counseling, and case management services to 144 unduplicated individuals who have the sickle cell disease or the sickle cell trait;

O) The ARC of Palm Beach County, Inc. - \$75,000 for the provision of employment services and training to 195 persons with development disabilities;

P) The Lord's Place, Inc. (Café Joshua) - \$20,000 for the training of 20 homeless persons under the Chef's/Catering Apprentice Job Training Program;

Q) The Salvation Army- \$17,600 provision of transitional housing and support services to 275 homeless individuals at the Center of Hope transitional housing facility;

R) Urban League of Palm Beach County- \$21,959 for operation of the Comprehensive Housing Counseling Program to provide housing counseling services to 264 persons;

S) West Jupiter Community Group, Inc. - \$45,000 for the provision of after school services to 115 disadvantaged children residing in the West Jupiter area monthly; and

T) City of South Bay - \$56,194 for activity delivery cost associated with the implementation of 20 CDBG funded housing rehabilitations and ten (10) CDBG funded demolitions.

SUMMARY: The FY 2008-2009 Action Plan approved by the BCC on July 22, 2008, allocated \$891,251 of CDBG funds for the provision of public services, fair housing activities and activity delivery cost of a Glades municipality to implement CDBG funded community development activities. These Agreements will allocate the approved funding as follows: \$710,257 to eighteen (18) subrecipients for the provision of public services; \$124,800 to one (1) subrecipient for the provision of fair housing services; and \$56,194 to one (1) municipality for delivery cost associated with implementation of CDBG funded community development activities. **These are Federal funds that require no local match.** Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

5. [Staff recommends motion to approve:](#) thirteen (13) Agreements totaling \$289,330 for the FY 2008-09 Emergency Shelter Grants Program (ESGP) with the following non-profit agencies, in the amounts and for the activities indicated, for the period October 1, 2008, to September 30, 2009:
- A)** Adopt-A-Family of the Palm Beaches, Inc. - \$22,860 for provision of emergency rent and mortgage assistance to prevent homelessness for 102 individuals;
 - B)** Aid to Victims of Domestic Abuse, Inc. - \$22,860 for operation and maintenance of a transitional housing facility to benefit 270 homeless women and children victims of domestic violence;
 - C)** Children's Case Management Organization, Inc. - \$22,860 to provide emergency shelter and food through motel vouchers and food vouchers for 120 individuals; and emergency rent, mortgage and utilities payments to prevent homelessness for 285 individuals;
 - D)** Children's Home Society of Florida, Inc. - \$22,870 to provide food for 300 homeless youths at the Safe Harbor Runaway Center, an emergency shelter for homeless youths; and to provide food for up to 14 homeless mothers and their babies at Transitions Home, a transitional housing facility for pregnant and mothering teenage women and their babies;
 - E)** Children's Place at Home Safe, Inc. - \$22,860 for utilities expenses at The Children's Place South Campus in Boca Raton which provides emergency shelter and 24-hour care to 100 abused, neglected and homeless children;
 - F)** Community Caring Center of Boynton Beach, Inc. - \$22,860 for: emergency shelter for 60 homeless individuals through the use of motel vouchers and food vouchers; essential services through provision of personal hygiene items, medication, and identification to 98 individuals; and emergency rent, mortgage and utilities payments to prevent homelessness for 352 individuals;
 - G)** Faith-Hope-Love-Charity, Inc. - \$22,860 for operation and maintenance of Stand-Down House to provide emergency shelter for 108 homeless veterans; and for standardized needs assessment testing of Stand-Down House Residents by a licensed psychologist;
 - H)** Farmworker Coordinating Council - \$22,860 for emergency rent, mortgage and utilities payments to prevent homelessness of 240 farmworker individuals;
 - I)** Florida Resource Center for Women and Children, Inc. - \$22,860 for: operation and maintenance expenses for an emergency shelter serving 100 victims of domestic abuse; and provision of essential service through purchase of prescription medications for 41 victims of domestic abuse;
 - J)** The Lord's Place, Inc. (Family Shelter) - \$22,860 for operation expenses for a transitional housing facility for 180 individuals in families;
 - K)** The Lord's Place, Inc. (Café Joshua) - \$22,860 for operation expenses of Café Joshua, to provide meals and other day shelter services for 2251 homeless guests who are referred for support services by other provider agencies throughout the County;
 - L)** The Salvation Army- \$22,860 for operation expenses of a transitional housing facility to house and provide homeless services to 275 homeless individuals; and

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

5. Motion/Title Continued

M) The Urban League of Palm Beach County - \$15,000 for provision of emergency rent and utilities assistance to prevent homelessness for 100 individuals.

SUMMARY: Palm Beach County will receive a total of \$304,558 in ESGP funds for FY 2008-2009 to provide assistance countywide the homeless and those at risk of becoming homeless. Prior to allocating funding to agencies undertaking homeless and homeless prevention activities, Palm Beach County deducted \$15,228 (5.0% of the initial amount) from the total entitlement to be used to cover some of the cost incurred in administering the program. Consequently, an amount of \$289,330 was available for distribution. These funds will be used for the operation and maintenance of emergency shelters and transitional housing facilities, essential services to the homeless, and homeless prevention activities. **The use of these federal funds requires a matching contribution which will be provided by the agencies.** Countywide (TKF)

6. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2007-1326) with the In The Pines, Inc., to extend the expiration date from November 30, 2008, to August 15, 2009. **SUMMARY:** This Agreement provides In The Pines, Inc. \$3,300,000 in 2005 Disaster Recovery Initiative Program funds for the In The Pines North townhouse rental housing project, located at 12955 Hagen Ranch Road, in the City of Delray Beach. The Amendment provides an extension of nine (9) months to the term of the existing Agreement due to delays associated with obtaining building permits. In The Pines, Inc. has secured all other financing necessary to complete the construction of this affordable housing project. **These are federal funds that require no local match.** District 5 (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to:

A) approve the Third Amendment to the Palm Beach County/Beeline Community Development District Water and Wastewater Utility Acquisition, Service, and Service Area Agreement (Agreement);

B) authorize the Chairperson to execute any and all documents necessary to carry out the closing of the purchase of the District's water and wastewater system; and

C) approve a Budget Amendment of \$300,000 in the Water Utilities Department Capital Improvement Fund.

SUMMARY: The Beeline Community Development District (District) owns and operates the potable water and wastewater utility that was constructed by United Technologies Corporation to serve the Pratt & Whitney site. The District entered into a Water and Wastewater Utility Acquisition, Service, and Service Area Agreement with the County on February 15, 2005 (R2005-0366). A First Amendment was approved by the Board on January 9, 2007 (R2007-0041), and a Second Amendment was approved by the Board on January 15, 2008 (R2008-0071).

The Third Amendment provides for adjustment of the Bill of Sale and utility easements to properly designate the utility assets and utility easements being transferred from the District to the County, clarifies the locations at which the County is to meet required water quality and pressure requirements, provides for the construction, funding, and operation of an 8" pipeline and chemical treatment facility to provide an increased level of service to certain utility customers, acknowledges environmental restrictions imposed by the FDEP on certain easements, and clarifies responsibility for construction within the restricted easements. The Department recommends utilizing an in-house construction crew for the construction of the new 8" pipeline. The District shall contribute \$300,000 towards the cost of construction. This project is exempt from the provisions of Section 255.20, Florida Statutes, as this project qualifies as the repair or maintenance of an existing public facility. District 1 (MJ)

2. Staff recommends motion to receive and file: Unilateral Termination and Partial Release of Standard Potable Water and Wastewater Development Agreements Due to Non-Renewal for the following property owners:

Termination of Standard Development Agreements

A) Fernando Negrin	(District 6)	01-01116-000
B) ZS Properties, LC	(District 5)	05-01057-000

SUMMARY: The terms and conditions for Standard and Non-Standard Development Agreements are outlined in the Water Utilities Department's Uniform Policies and Procedures Manual (UPAP). Development Agreements are valid for a period of five (5) years and may be renewed for an additional five (5) years by paying an additional Mandatory Agreement Payment (MAP). If the additional MAP is not paid or the Agreement has reached its ten (10) year expiration date, the Agreement is terminated. This agenda item recommends the Board receive and file the terminations. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Budget Transfer of \$1,388,000 in the Unit 11 Stewardship Fund from Reserves to the Unit 11 Acquisition and Enhancement Fund; and

B) approve Budget Amendment of \$1,388,000 in the Unit 11 Acquisition and Enhancement Fund to recognize the transfer from the Unit 11 Stewardship Fund to fund the acquisition of Unit 11 Properties within the Hungryland Slough Natural Area.

SUMMARY: This action will appropriate a portion of the budget for the payment of parcels in Unit 11 that have been acquired by the County through eminent domain and for which a final value has not been established. The final cost to the County will be determined either via pretrial settlement or by a 12 member jury. Thirty-two (32) out of the remaining unsettled 60 natural area parcels are scheduled to go to trial on December 8, 2008. The other 28 parcels have not been set for trial. The funds in the Unit 11 Stewardship Fund originate from mitigation funds received as a result of permit requirements imposed on various developments by the South Florida Water Management District. These funds have been deposited into the Unit 11 Stewardship Fund expressly for the purpose of acquiring, enhancing, and managing land within the Unit 11 mitigation area. Expenditures in the Unit 11 Stewardship Fund are limited to the earnings on principal. District 1 (JMB)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) approve Grant Contract (Contract) with Florida Communities Trust (FCT) that specifies the State standards for acquisition which the County must meet in order to receive Florida Forever Revenue Bond proceeds, partially covering acquisition expenses for the Cypress Creek Natural Area Phase IV grant application. The Contract also requires the County to manage the natural area solely for the conservation, protection and enhancement of natural and historical resources and for passive, natural resource-based public outdoor recreation. The maximum amount of the grant award is 28 % of the total approved project costs (\$6,300,000); and

B) authorize the County Administrator, or his designee, to execute all documents in connection with this Grant on behalf of the County, including but not limited to the Grant Reconciliation Statement, statements submitted as a part of the Project Plan, any addenda to this Contract, and the Declaration of Restrictive Covenants (DRC) and Grant Award Calculation (Calculation), provided that such documents do not change the scope of work or terms and conditions of the Contract.

SUMMARY: The purchase of the Cypress Creek Natural Area Phase IV property (R2006-2139) from Jupiter Ranch, Inc., was part of the County's Conservation Lands Acquisition Program. The Cypress Creek Natural Area Phase IV was used as unique identifier for the property included in this FCT grant application. Approval of this Contract is the first step necessary for State participation in cost sharing under the State's Florida Forever Grant Program. The Contract requires the County to have followed standards for acquisition that are generally the same as those adhered to by the County for all of its conservation land acquisitions; to submit to an audit; and to develop a Project Plan. The Project Plan must include a Management Plan that identifies the public access facilities that will be constructed on the site, management activities that will be used to preserve, restore and protect the existing natural and historic resources, and the permitted passive recreational activities. Approval of the Project Plan by FCT is required before funds will be disbursed. If the Project Plan is approved within the time allotted by the Contract, the County will be asked to execute a DRC and a Calculation. The DRC will contain those terms and conditions of the Contract which are still applicable and the Calculation will detail the final approved acquisition costs and the share of those costs paid by the County and State. Due to the standard nature of the Contract requirements and short turn-around allotted for DRC and Calculation processing, authorization is requested for the County Administrator, or his designee, to execute all future documents associated with this grant. District 1 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to approve: Agreement with Community Resource Center of Coleman Park, Inc. for the period October 21, 2008, through March 31, 2009, in an amount not-to-exceed \$5,000 for funding Youth MIC Night Variety Shows. **SUMMARY:** This funding is to help offset costs incurred by Community Resource Center of Coleman Park, Inc. for Youth MIC Night Variety Shows held at Roosevelt Middle School. Between 80 and 150 youth participate in each of the on-going shows. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to December 15, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. **Staff recommends motion to approve:** Agreement with Boynton Beach Police Athletic League, Inc. for the period October 21, 2008, through December 30, 2008, in an amount not-to-exceed \$5,000 for funding of the Boynton Beach Bulldogs' trip to participate in the Youth Championship Bowl trip to Orlando. **SUMMARY:** This funding is to help offset costs for the Boynton Beach Bulldogs' trip to participate in the first annual Turkey Bowl Youth Classic Championship held in Orlando in November of 2007. Sixty-six (66) football players from Palm Beach County participated in the event. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to November 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

3. **Staff recommends motion to approve:** Agreement with United Sports and Social Club, Inc. for the period October 21, 2008, through January 30, 2009, in an amount not-to-exceed \$5,000 for funding of the Celebration in the Park event. **SUMMARY:** This funding is to help offset costs for the Celebration in the Park event hosted by United Sports and Social Club, Inc. on August 3, 2008, to celebrate Jamaican Independence. The event attracted approximately 5,000 participants. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to June 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 6 (AH)

4. **Staff recommends motion to approve:** Agreement with Junior Golf and Academics of America, Inc. for the period October 21, 2008, through December 30, 2008, in an amount not-to-exceed \$4,000 for funding of the Summer Golf Program. **SUMMARY:** This funding is to help offset costs for a basic golf instruction summer program offered by Junior Golf and Academics, Inc. for the West Palm Beach Police Athletic League and the Beacon Center of Riviera Beach. Approximately 77 youth participated in the programs. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to July 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

5. **Staff recommends motion to approve:** Agreement with Community Back to School Bash, Inc. for the period October 21, 2008, through December 30, 2008, in an amount not-to-exceed \$5,000 for funding of the annual Community Back to School Bash event. **SUMMARY:** This funding is to assist with the cost of the 2008 Community Back to School Bash event. The main event was held at the Palm Beach County Convention Center on August 2, 2008. The Community Back to School Bash served approximately 8,500 participants. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to April 23, 2008. Funding is from the Recreation Assistance Program (RAP) District 2 Funds. District 2 (AH)

6. **Staff recommends motion to approve:** Agreement with Keep Palm Beach County Beautiful, Inc. for the period October 21, 2008, through December 30, 2009, in an amount not-to-exceed \$7,500 for funding of the Elders' Cove eco-art restoration project in Dreher Park. **SUMMARY:** This funding is to assist with the cost of Keep Palm Beach County Beautiful's Elders' Cove group restoration of an eco-art project in Dreher Park that sustained damage from hurricanes in 2004 and 2005. The eco-art site features a learning garden that is viewed by approximately 250,000 people annually. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to October 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 2 Funds. District 2 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

7. **Staff recommends motion to approve:** Agreement with the City of Boynton Beach for the period October 21, 2008, through February 15, 2009, in an amount not-to-exceed \$1,200 for funding of the Sand Sifters "Be Green, Halloween" event. **SUMMARY:** This funding is to help offset costs for the City of Boynton Beach's "Be Green, Halloween" event held on October 4, 2008, at Oceanfront Park in Boynton Beach. This beach clean up event attracted approximately 125 participants. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to July 21, 2008. Funding is from the Recreation Assistance Program (RAP) District 4 Funds. District 4 (AH)

8. **Staff recommends motion to approve:** Agreement with The National Center for Jewish Cultural Arts, Inc. for the period October 21, 2008, through March 31, 2009, in an amount not-to-exceed \$10,000 for funding of New Vista Theatre Company expenses. **SUMMARY:** This funding is to assist with expenses incurred by The National Center for Jewish Cultural Arts, Inc. for New Vista Theatre Company, which will offer three musicals at West Boca Raton Community High School during the 2008/2009 season. The performances are anticipated to attract approximately 22,000 viewers. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to October 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 5 Funds. District 5 (AH)

9. **Staff recommends motion to approve:** Agreement with Boca Flag Football and Cheerleading, Corp. for the period October 21, 2008, through October 1, 2009, in an amount not-to-exceed \$5,000 for the funding of West Boca Tackle Football equipment and expenses. **SUMMARY:** This funding is to assist with expenses incurred by Boca Flag Football and Cheerleading, Corp. for its West Boca Tackle Football league equipment and expenses. Boca Flag Football offers its programs at South County Regional Park to approximately 600 youth. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to July 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 5 Funds. District 5 (AH)

10. **Staff recommends motion to receive and file:** original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for West Boca Raton Community High School in an amount not-to-exceed \$40,500 for the athletic field maintenance. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 5 Funds. District 5 (AH)

11. **Staff recommends motion to receive and file:** original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Palm Beach Central Community High School in an amount not-to-exceed \$6,000 for funding of Athletic Department programs, uniforms, and equipment. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

12. **Staff recommends motion to receive and file:** original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Wellington Community High School in an amount not-to-exceed \$3,000 for funding of soccer, swimming, and baseball uniforms and athletic equipment. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

13. **Staff recommends motion to approve:** Agreement with the City of Pahokee for the period October 21, 2008, through July 30, 2009, in an amount not-to-exceed \$4,000 for funding of holiday decorative lighting. **SUMMARY:** This funding is to help offset costs for the City of Pahokee's purchase of holiday lighting for the 2007 and 2008 winter holiday seasons. The lighting is enjoyed by residents and visitors during the holiday season. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to December 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

14. **Staff recommends motion to approve:**
 - A) Tri-Party Agreement with Acme Improvement District and Boys and Girls Clubs of Palm Beach County, Inc. for the period October 21, 2008, through October 20, 2011, in an amount not-to-exceed \$600,000 for funding of the Wellington Facility; and
 - B) Budget Transfer of \$600,000 within the \$25M GO Parks and Cultural Improvements Bond Fund from Reserves to Boys & Girls Clubs Wellington facility.

SUMMARY: This Agreement provides funding for construction of the Boys and Girls Clubs of Palm Beach County's new Wellington facility to be located at the civic site of Wellington Countryplace on property leased by Boys and Girls Clubs of Palm Beach County from Acme Improvement District. Funding is from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum – District 6. District 6 (PK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

15. Staff recommends motion to receive and file: executed Independent Contractor Agreements received during the month of September:

- A) Dawn Gunduz, Belly Dancing, West Jupiter Recreation Center;
- B) Cindy Martling, Stroller Power, West Jupiter Recreation Center;
- C) PBC Officials Association, Softball, West Boynton Park & Recreation Center;
- D) Cathy Weech, Computer Lab, Therapeutic Recreation Complex;
- E) Melissa Sackl, Water Aerobics, Therapeutic Recreation Complex;
- F) Lauren Brown, Water Exercise, Therapeutic Recreation Complex;
- G) Stacey Lazos, Yoga, Therapeutic Recreation Complex;
- H) Modern Bujutsu Karate, Florida, Inc., Martial Arts, West Boynton Park & Recreation Center;
- I) Shelly Janssen, Dance Program, West Boynton Park & Recreation Center; and
- J) Kim Moser, Classical Fence, West Jupiter Recreation Center

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. Districts 1 & 3 (AH)

N. LIBRARY

1. Staff recommends motion to approve: Budget transfers of \$31,435 from the remaining construction budget for the Hagen Ranch Road Branch (formerly the West Atlantic Avenue Branch) and \$68,000 from the remaining design budget for the new West Boca Branch to increase the project budget for the Tequesta Branch renovation from \$33,745 to \$133,180. The renovation costs were paid from the Library's Operating Funds and must be reclassified to a capital project fund. **SUMMARY:** To facilitate the renovation of the Tequesta Branch, the project costs were paid from the Library's operating fund. The total project costs including construction, furniture and fixtures was \$106,734. All project expenditures are being transferred to the increased project budget. Countywide (TKF)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve: the Third Amendment with the City of Delray Beach (R2005-2433), for \$100,000 for the contract period from October 1, 2008, through September 30, 2009 to support the City Of Delray Beach "Weed and Seed efforts". **SUMMARY:** The Criminal Justice Commission recommends the use of \$100,000 from the Criminal Justice Reserve Fund for the continuation of "seeding" services and to extend the existing contract period to September 30, 2009. District 7 (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to approve: a Contract with the City of Riviera Beach Civil Drug Court in the amount of \$100,000 for the period October 1, 2008, through September 30, 2009. **SUMMARY:** On February 25, 2008, the Criminal Justice Commission (CJC) approved the use of \$100,000 in Drug Abuse Trust Fund (DATF) and Criminal Justice Reserve Fund monies to provide case management services and contract for residential and outpatient substance abuse services for indigent clients court ordered to treatment through the Civil Drug Court Program located in the City of Riviera Beach. Of this amount, \$52,253 is to contract with the Civil Drug Court to be for substance abuse services and \$47,747 will be used for a Case Manager position. District 7 (DW)

3. Staff recommends motion to approve: the Third Amendment with the City of West Palm Beach (R2007-0706), for \$100,000 for the contract period from October 1, 2008, to September 30, 2009 to support the City of West Palm Beach "Weed and Seed efforts". **SUMMARY:** The Criminal Justice Commission (CJC) recommends the use of \$100,000 from the Criminal Justice Reserve Fund for the continuation of "seeding" services and to extend the existing contract period to September 30, 2009. District 7 (DW)

S. FIRE RESCUE

1. Staff recommends motion to approve: the write-off of uncollectible emergency transport patient accounts to remove these amounts from the County's financial books for the following period:

October 1, 2004, through September 30, 2005 (FY '05) \$3,251,034.80

SUMMARY: In December 1994, the Board authorized Fire Rescue to transport critically ill/injured patients and bill for those services. The County contracts with a private company for these billings and collections services. The County receives payment from a number of sources, including commercial insurance, Medicare, Medicaid, and private individuals. During the period October 1, 2004, to September 30, 2005, Fire Rescue generated \$11,871,608.45 in gross transport billings and collected (to-date) \$7,305,156 or 61.5%. After adjustments, the balance of \$3,251,034.80 is currently deemed to be uncollectible and staff recommends that this amount be written-off the County's financial books. The write-off of these accounts does not eliminate the County's authority to continue to pursue collection of these accounts. Countywide (SB)

2. Staff recommends motion to approve: the write-off of uncollectible Fire Rescue receivables to remove these amounts from the County's financial books for the following period:

October 1, 2003, through January 31, 2005 \$19,500

SUMMARY: The County has agreements for mutual aid with qualified municipalities for the provision of emergency services throughout Palm Beach County. For the period October 1, 2003, to January 31, 2005, there is currently \$19,500 in receivables related to two (2) mutual aid responses that are deemed to be uncollectible. In accordance with Countywide policy (CW-F-048), staff is recommending this amount be written-off the County's financial books. This write-off does not include emergency transport fees which Fire Rescue seeks Board approval separately on an annual basis, nor does it forgive any debt owed the County. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

3. Staff recommends motion to approve: Memorandum of Agreement with the Children's Services Council of Palm Beach County providing the County funding of up to \$50,000 for the Drowning Prevention Coalition effective retroactively to October 1, 2008 for the period October 1, 2008, to September 30, 2009. **SUMMARY:** The Drowning Prevention Coalition program is managed by Palm Beach County Fire Rescue. However, the program is funded by multiple sources including the Children's Services Council (CSC) of Palm Beach County and the County's general fund. This Memorandum of Agreement provides the terms and conditions of the Children's Services Council of Palm Beach County's Agreement to provide funding to the County of up to \$50,000 for the Drowning Prevention Coalition program. The additional funding of this program for FY 2009 is being provided from the County's General Fund in the amount of \$150,000. Countywide (SB)

U. INFORMATION SYSTEM SERVICES

1. Staff recommends motion to approve:

A) Interlocal Agreement with the City of Palm Beach Gardens to connect to the Palm Beach County Wide Area Network at an annual cost of \$8,400 for the initial point of connection; and

B) Interlocal Agreement with the Town of Jupiter to connect to the Palm Beach County Wide Area Network at an annual cost of \$8,400 for the initial point of connection.

SUMMARY: The Information Systems Services (ISS) Department has negotiated the proposed Interlocal Agreements with the City of Palm Beach Gardens and the Town of Jupiter. Both organizations desire to connect to the County's Network which provides access to the Florida LambdaRail. This interconnection will enable the municipalities to gain greater bandwidth for Internet access and disaster recovery programs while reducing overall network costs. Palm Beach Gardens and Jupiter each agree to pay the County \$8,400 annually as the initial connection fee to access the Palm Beach County network. Per Exhibit A of the Interlocal Agreements, fees for additional connections are set at \$6,000 annually per connection. District 1 (PK)

2. Staff recommends motion to approve: Amendment No. 4 to the Technical Currency Program (TCP) Agreement with SCT Government Systems (SCT) (R2003-1017), now doing business as Affiliated Computer Systems Inc. (ACS), to provide maintenance coverage for the two (2) year period October 1, 2008, through September 30, 2010 for ten component systems of ACS Banner Courts, at a fee of \$651,646 for FY 2009 and increasing by 5% in FY 2010 to \$684,228. **SUMMARY:** The TCP License Agreement was initially entered into by Palm Beach County and SCT (now ACS) on September 29, 1998 (R1998-1540 & 1541). The Agreement provides services and benefit, including availability of software enhancements, new releases, and maintenance for all components of the Banner Courts system, including civil, juvenile, criminal and traffic court modules. The negotiated fee of \$651,646 for FY 2009 represents a reduction of \$290,526, or 31%, from the FY 2008 fee amount of \$942,172. Countywide (PK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES (Cont'd)

3. Staff recommends motion to:

A) approve Amendment No. 1 to contract R2006-2518 with Woolpert, Inc. to extend the term of the contract to November 21, 2009;

B) approve Amendment No.1 to contract R2006-2517 with BAE Systems NSS Inc., to extend the term of the contract to November 21, 2009;

C) approve Amendment No.1 to contract R2006-2516 with Surdex Corporation to extend the term of the contract to November 21, 2009;

D) approve Task Order No. 1 with Woolpert, Inc. to complete color digital ortho photography for a not to exceed amount of \$235,000; and

E) receive and file Surdex Task Order No. 2.

SUMMARY: Three (3) firms were selected using the Consultant Competitive Negotiations Act (CCNA) process, contracted on November 21, 2006 to perform digital ortho photography and planimetric mapping for the County (R2006-2516, R2006-2517, and R2006-2518). These Amendments exercise the first of three (3) – one (1) year renewal options set forth in the original Contracts. No additional costs are associated with these Amendments. Woolpert Task Order No. 1 is to complete color +/- 0.5 foot accuracy digital ortho photos for approximately 812 square miles in the urban areas of the County. Surdex Task Orders No. 2, which was under \$100,000 and previously executed, is submitted for receive and file purposes. Countywide (PK)

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) approve the following contracts with agencies to provide drug treatment and testing services to individuals referred by the Juvenile Delinquency Drug Court, in a cumulative amount not to exceed \$79,273 for the period October 1, 2008, to September 30, 2009:

1) Drug Testing and Counseling Services in the amount of \$22,693;

2) The Drug Abuse Treatment Association, Inc. (DATA) in the amount of \$56,580; and

B) authorize the County Administrator, or his designee, to execute amendments to these contracts on behalf of the Board of County Commissioners to adjust the not-to-exceed amounts as long as the cumulative total does not exceed \$79,273.

SUMMARY: On February 25, 2008, the Criminal Justice Commission (CJC) approved the use of \$79,273 in Drug Abuse Trust Fund (DATF) monies to contract for outpatient substance abuse treatment and testing services for juveniles who are court ordered to treatment through the Delinquency Drug Court Pilot Program located in Palm Beach County. There is no ad valorem funding. Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to:

A) approve the following contracts with agencies to provide drug treatment and testing services to individuals referred by the Adult Drug Court, in a cumulative amount not to exceed \$406,116.80 for the period October 1, 2008, to September 30, 2009:

- 1) Drug Abuse Foundation of Palm Beach County, in the amount of \$61,076.80;
- 2) Comprehensive Alcoholism Rehabilitation Programs, Inc. in the amount of \$65,569.92;
- 3) Drug Testing and Counseling Services in the amount of \$223,726.26;
- 4) Counseling Services of Lake Worth, Inc. in the amount of \$55,743.82;

B) authorize the County Administrator, or his designee, to execute amendments to these contracts on behalf of the Board of County Commissioners to adjust the not-to-exceed amounts as long as the cumulative total does not exceed \$406,116.80;

C) approve the Law Enforcement Trust Fund (LETf) agreement to receive \$32,435 in grant funding from the Sheriff's Office;

D) approve a Budget Transfer of \$32,435 in the LETf; and

E) approve a Budget Amendment of \$32,435 in the General Fund to establish grant budget.

SUMMARY: These contracts provide continuation of the drug treatment and testing services provided to individuals referred by the Drug Court. Funding for these contracts will be provided by the Drug Abuse Trust Fund (\$200,051), Law Enforcement Trust Fund (\$32,435), Byrne Grant (\$6,306), and user charges collected from the participants (\$167,324.80). There is no ad-valorem funding. Countywide (GB)

3. Staff recommends motion to receive and file: the original executed contract with the Legal Aid Society of Palm Beach County, Inc. to provide legal services to the indigent citizens of Palm Beach County in the areas of Family Law, Elder Law, Juvenile Advocacy, Education Advocacy, Public Guardianship and Domestic Violence Victim Representation in the amount not to exceed \$1,043,393 from October 1, 2008, to September 30, 2009 as approved in the FY 2009 budget. **SUMMARY:** Resolution R2006-2132 authorizes the County Administrator or his designee to execute contracts with Legal Aid Society of Palm Beach County, Inc. that does not exceed the BCC approved budget for the program. Florida Statute 29.008 identifies that funding for Legal Aid Programs shall be considered a local requirement. The Legal Aid Society of Palm Beach County, Inc. has historically provided these services and this is the fifth year of this contract. This Contract will ensure the seamless continuation of legal aid services to indigent citizens of Palm Beach County. Countywide (GB)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office an agreement with the Port of Palm Beach District for reimbursement of Infrastructure Protection Activities, in the amount of \$675,000, associated with the Port of Palm Beach District's Vessel – Prevention/Detection Project for the period of August 1, 2008, to July 31, 2011; and

B) approve a Budget Amendment of \$675,000 in the Sheriff's Grant Fund.

SUMMARY: On August 18, 2008, the Port of Palm Beach District received an award from the United States Department of Homeland Security FY 2008 Port Security Grant to implement the Port of Palm Beach District's (PORT) Vessels – Prevention/Detection Project. On August 1, 2008, the Palm Beach County Sheriff's Office (PBSO) and the PORT entered into an agreement to expend the Port Security Grant Program funding in providing security service to the PORT. The objective of the project is to create a sustainable, risk-based effort for the protection of critical port infrastructure from terrorism, especially explosives and non-conventional threats that would cause major disruption to commerce and significant loss of life. Under this Agreement, the Palm Beach County Sheriff's Office will receive \$675,000 in reimbursable funds for capital expenses associated with the project. There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (DW)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a Department of Justice, Office of Juvenile Justice and Delinquency Prevention FY 2008 Gang Prevention Coordination Assistance Program Grant for Palm Beach County's Gang Prevention Coordination Strategy in the amount of \$200,000 for the period of October 1, 2008, through September 30, 2010; and

B) approve a Budget Amendment of \$200,000 increasing the Sheriff's Grant Fund.

SUMMARY: On September 9, 2008, the Palm Beach County Sheriff's Office (PBSO) received an award to Palm Beach County's Gang Prevention Coordination Strategy. The purpose of Palm Beach County's Gang Prevention Coordination Strategy is to support and enhance the coordination of existing community-based gang prevention and intervention programs and strategies that are closely aligned with local law enforcement efforts. Funds provided will be used for: salary and benefits of a full-time Gang Prevention Coordinator, travel and training for the PBSO Gang Unit, and supplies. There is no match requirement associated with this award. One (1) PBSO position is created with this action. No additional County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

3. Staff recommends motion to receive and file: Grant Adjustment Notice amending the Florida Department of Law Enforcement's State Homeland Security Grant, for the Palm Beach County Sheriff's Office SWAT and EOD Sustainment Project, to extend the ending grant period from September 30, 2008, to March 31, 2009. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$42,455 on May 6, 2008; the original period for this grant was January 1, 2008, through September 30, 2008 (R2008-0812). This agenda item will extend the grant period from September 30, 2008, to March 31, 2009. The Palm Beach County Sheriff's Office (PBSO) received this award from the Florida Department of Law Enforcement (FDLE) to purchase equipment and supplies to implement Florida's Domestic Security Strategic Plan. These funds and related equipment, which have been approved by FDLE for purchase, will be used to enhance the region's and the State of Florida's SWAT and EOD capability and capacity to prevent and respond to Weapons of Mass Destruction (WMD) Chemical, Biological, Radiological/Nuclear, and Explosive (CBRNE) threats and attacks through updated technologies and equipment. The PBSO has been given an extension to allow the grant funds to be fully expended. There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (DW)

4. Staff recommends motion to approve: a Budget Amendment of \$13,851,472 in the General Fund for law enforcement services provided by the Palm Beach County Sheriff's Office to the City of Lake Worth through a Contractual Agreement for the period October 1, 2008, through September 30, 2009. **SUMMARY:** The Budget Amendment is requested to provide law enforcement services as prescribed within a Contractual Agreement between the Palm Beach County Sheriff's Office and the City of Lake Worth. The level of service to be provided includes 134 positions, comprised of 91 sworn officers, 33 civilian positions, and ten (10) school crossing guards. No County funds are required. Countywide (DW)

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4. PUBLIC HEARINGS - 9:30 A.M. (Motion to receive and file: Proof of publication)

- A. **Staff recommends motion to adopt:** an Ordinance repealing Ordinance 2005-35, the Simon II/"B" Road-NW Property Comprehensive Plan Amendment (No. LGA 2005-00014). **SUMMARY:** Palm Beach County adopted a Comprehensive Plan Amendment for the creation of the Central Western Communities Sector Plan by Ordinance No. 2005-034 on August 22, 2005. At the same time, the County adopted ordinance 2005-035, providing for a site-specific Comprehensive Plan Amendment for 96.73 acres of land located on the north side of Southern Boulevard between "A" Road and "B" Road, commonly referred to as the Simon II/ "B" Road-NW property, which is presently located within the municipality of Loxahatchee Groves. The Department of Community Affairs found both the Sector Plan Amendment, and the Simon II/ "B" Road-NW Property Plan Amendment "not in compliance," and filed an administrative petition challenging the Plan, on November 15, 2005. The County ultimately repealed Ordinance 2005-034, mooting the pending administrative challenge relating to the Sector Plan. However, the parties continued to negotiate a possible settlement regarding the Simon II/ "B" Road-NW property. The applicant has advised the County in writing that he now wishes to withdraw his application for the Simon II/ "B" Road-NW Property Plan Amendment, due to changed circumstances. Based on the applicant's request, County staff recommends that the Board of County Commissioners adopt an ordinance repealing Ordinance 2005-035. Adoption of the Ordinance will render the remainder of the pending administrative challenge moot. District 6 (ATP)

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5. REGULAR AGENDA

B. COMMUNITY SERVICES

1. Staff recommends motion to approve: presentation of the BCC Roles & Responsibilities as the Governing Board for the Head Start/Early Head Start Programs. **SUMMARY:** The Board of County Commissioners, as the governing board of Head Start/Early Head Start Programs, is required by Federal Head Start Program Performance Standards to be trained to carry out their governance responsibilities effectively. The training is provided by Mabel Jones of the Jones Connection. (Head Start) Countywide (TKF)

C. FIRE RESCUE

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on November 18, 2008 at 10:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, providing that the updated Florida Fire Prevention Code shall be deemed adopted; providing for local amendments to the Florida Fire Prevention Code; replacing Chapter 12, Article IV of the Palm Beach County Code (codifying Ordinance 2004-073) in its entirety; providing for legislative findings; providing for applicability; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code; and providing for an effective date. **SUMMARY:** Pursuant to Chapter 633, Florida Statutes, the State Fire Marshal has adopted an updated statewide minimum fire safety code, known as the Florida Fire Prevention Code, in Rule Chapter 69A-60 of the Florida Administrative Code. This updated Florida Fire Prevention Code will become effective on December 31, 2008, and is based on the Florida 2006 editions of the National Fire Protection Association's Uniform Fire Code (NFPA 1) and Life Safety Code (NFPA 101). The local amendments to the Code include a revised fee schedule increasing plan review and inspection fees due to the increased cost of providing those services. Effective December 31, 2008, the County will enforce the updated Florida Fire Prevention Code with the Palm Beach County Local Amendments adopted by this Ordinance. Countywide (SB)

D. PARKS AND RECREATION

1. Staff recommends motion to approve:
 - A) termination of the tri-party Agreement (R2007-0053) with Cultural Trust of the Palm Beaches, Inc. and the Village of Wellington in an amount not-to-exceed \$1,000,000 from the 2002 Recreational and Cultural Facilities Bond for construction of the Cultural Trust Outdoor Entertainment Pavilion; and
 - B) reallocation of the unexpended balance of \$822,296 to the Village of Wellington for construction of an amphitheatre at Wellington Community Center.

SUMMARY: Cultural Trust of the Palm Beaches, Inc. failed to perform its obligations under a tri-party 2002 Recreational and Cultural Facilities Bond Agreement with the County and the Village of Wellington to construct an Outdoor Entertainment Pavilion on a 10-acre site west of Wellington Green Mall. Failure to perform was a result of Cultural Trust canceling its ease with Wellington for the property and not being financially able to construct the Outdoor Entertainment Pavilion at the leased site. As a result, it is necessary to cancel the tri-party funding Agreement with Cultural Trust and the Village of Wellington. The Village of Wellington has requested that the remaining unexpended balance of \$822,296 from the uncompleted project be redirected to Wellington for construction of an amphitheatre at the Wellington Community Center site. The District 6 Commissioner supports the reallocation of these funds to the Village of Wellington for the construction of the proposed amphitheatre. District 6 (PK)

5. REGULAR AGENDA

E. RISK MANAGEMENT

1. **Staff recommends motion to approve:** an additional tier of coverage within the County's self-insured health plan for certain dependent children from age 26 until the end of the calendar year in which the child reaches age 30, and to charge employees who opt to insure dependents within this tier, the full actuarial rate associated with this new class of dependents effective for plan years beginning after October 1, 2008. **SUMMARY:** Due to a recent revision of Florida Statute §627.6562, the County must begin offering its employees the option to insure certain children until the end of the calendar year in which the child reaches age 30. To be eligible for this optional coverage, the child must be unmarried without a dependent of his or her own; and be a resident of Florida or a full-time or part-time student; and not have coverage as a named subscriber, insured, enrollee or covered person under any other group, blanket, or franchise health insurance policy or individual health benefits plan, or be entitled to benefits under Medicare. In providing this optional coverage, the County can charge an appropriate premium for the optional coverage; deny coverage for costs incurred by the optionally-enrolled child prior to January 1, 2009; medically underwrite the children (per the Statute, although potential HIPAA concerns eliminate a staff recommendation for this option); or absorb the cost of allowing the dependents into the plan as with any other eligible dependent. Depending on the number of actual enrollees, the cost exposure to the County could range anywhere from \$79,534 to \$281,989 annually. Staff recommends that the full actuarial premium be charged for the addition of these newly eligible dependents. The recommended monthly premiums are \$385.61 for the HMO, \$421.86 for the POS and \$1,053.30 for the PPO per dependent child in the 26 – 30 age range. Countywide (TKF)

F. WATER UTILITIES

1. **Staff recommends motion to approve:** a conceptual approval of a temporary deferral of the capital reimbursement portion of the Lake Region Water Treatment Plant (LRWTP) billing to the Cities of Belle Glade, Pahokee, and South Bay for a period not to exceed twelve (12) months beginning with the October 2008 billing. **SUMMARY:** On February 3, 2004, the Board approved Agreements with the Cities of Belle Glade (R2004-0245), Pahokee (R2004-0246), and South Bay (R2004-0247) for the construction and operation of the LRWTP. The Agreements require the Cities to reimburse the County for the operational costs of the plant and to pay any capital costs not paid through grants. The remaining capital cost (\$24,800,000) is to be paid over 50 years at 2% interest. The monthly capital cost for Belle Glade is \$45,794.05 and \$9,813.01 for both South Bay and Pahokee. Over the past few weeks, there have been discussions with the three Cities regarding the concept of establishing a Glades Utility Authority (GUA), which would combine the utility systems of the three Cities into an Authority which would contract with the County to provide water and wastewater services. The purpose of the GUA is to assume the existing utility debt from the Cities, to prioritize and implement repairs and upgrades to the existing infrastructure, to bill utility customers and to correct regulatory deficiencies in the systems. Additionally, an upgraded water and wastewater system is necessary in order to encourage economic development in the area. The three (3) Cities have all agreed to commence negotiations with the County to establish the GUA. In order to provide financial assistance to the Cities, Staff is recommending that the capital portion of the monthly billing be deferred for a maximum of twelve (12) months. Interest will continue to accrue, and the capital payments will be reinstated once the Authority is established, the concept of an authority is abandoned, or twelve (12) months, whichever comes first. If approved, the GUA would be responsible to pay the outstanding debt for the Lake Region Plant. If approved by the Board, the Agreements will be brought back at a later date for formal Amendment. The Cities are still obligated to pay the monthly operating costs of the LRWTP. District 6 (MJ)

5. REGULAR AGENDA

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to:

A) adopt a Resolution repealing Resolution No. R2008-1571; authorizing the issuance and negotiated sale of Public Improvement Revenue Bonds, Series 2008-2 in the principal amount of not exceeding \$110,000,000 for the purpose of funding payments required by the Grant Agreement between the County and Max Planck Florida Corporation and providing funds to refinance obligations of the County to the Sunshine State Governmental Financing Commission commercial paper note program; providing for the terms and payment of such bonds; delegating to County officials the authority to determine certain details of the bonds; providing a method to approve the form of and authorizing the execution and delivery of a bond purchase agreement and to award the sale of the bonds to the underwriters; providing a method to approve the forms of the preliminary official statement, final official statement and paying agent and registrar agreement and authorizing the execution of the final official statement and the paying agent and registrar agreement; appointing a paying agent and registrar; providing for the rights, security and remedies of the holders of the bonds and making certain covenants and agreements in connection therewith; providing for the undertaking by the County required by Rule 15c2-12 of the Securities and Exchange Commission; providing for certain other matters in connection therewith; and providing for an effective date; and

B) appoint Janney Montgomery and Merrill Lynch as additional Co-Managers for the not to exceed \$110 Million Public Improvement Revenue Bonds, Series 2008-2 for financing the initial contribution to the Max Planck Florida Institute Project and the refunding of the outstanding loans from the Sunshine State Governmental Financing Commission (the Sunshine State Commission).

SUMMARY: On September 16, 2008, the Board approved a Resolution (R2008-1571) authorizing the issuance and negotiated sale of Public Improvement Revenue Bonds, Series 2008-2 (Max Planck Florida Institute Project) in the principal amount of not exceeding \$45,000,000 for the purpose of funding payments required by the Grant Agreement between the County and Max Planck Florida Corporation. In addition to the funding of Max Planck Florida, the above Resolution includes the refunding of the outstanding variable rate loans from the Sunshine State Commission totaling \$50,629,000 plus cash funding the debt service reserve and costs of issuance. These are variable rate, uninsured loans which have Depfa Bank serving as the liquidity facility. Last week, Moody's and Standard & Poor's downgraded the ratings for Depfa thus making the bank's liquidity support for the commercial paper notes no longer eligible for purchase by tax exempt money market funds. As a result of the current credit crisis and disruptions in the short term debt markets, staff anticipates interest rates for the County's loans will dramatically increase in the near future without substituting for Depfa Bank's liquidity support. Currently, liquidity support from banking institutions worldwide is practically non-existent. Staff and the County's Financial Advisor are recommending that the County refund the Sunshine State Commission loans with fixed rated debt to minimize its exposure to interest rate volatility and uncertainty that exist in the current short-term variable rate market. The appointment of two (2) additional co-managers is necessary due to the increasing size of the bond issue. Countywide (PFK)

* * * * *

RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE CHILD CARE FACILITIES BOARD

6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD

A. HEALTH DEPARTMENT

1. Staff recommends motion to authorize:

A) the initiation of legislation to amend Chapter 59-1698, Special Acts, Laws of Florida as amended by Chapter 77-620, Special Act, Laws of Florida, to adjust Child Boarding Home, Family Day Care and Child Care facility requirements and authorize the permitting of Large Family Child Care facilities; and

B) the initiation of amendments to the Palm Beach County Rules and Regulations Governing Child Care Facilities upon passage of the legislation.

SUMMARY: The Child Care Advisory Council and the Palm Beach County Health Department are recommending a number of changes to the Special Act applicable to the permitting of child care facilities. The proposed changes will:

1. Increase the maximum number of children allowed in Family Day Care homes from 5 to 6 provided that no more than 3 of the children are birth to 12 months of age.
2. Designate one (1) of the private enterprise seats on the Child Care Advisory Council for a family day care provider.
3. Create a new permitting category for Large Family Child Care Facilities with a maximum capacity of 12 children and caregiver to child ratios of 1:4, 1:6 or 1:8 depending on the ages of children in care.

A detailed side-by-side comparison of current and proposed County regulations and Florida Department of Children & Families regulations is provided as Attachment 1 of the Agenda Item. The proposed changes will provide greater consistency with State regulations and are endorsed by the Palm Beach County Family Child Care Association. The Special Act must be amended by the Florida Legislature to accomplish the changes. County Rules and Regulations Governing Child Care Facilities must also be amended to implement the proposed changes. Countywide (GB)

ADJOURN AS THE CHILD CARE FACILITIES BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

7. BOARD APPOINTMENTS

A. PLANNING, ZONING & BUILDING
(Construction Industry Licensing Board)

1. Staff recommends motion to approve: appointment/reappointment of the following individuals to the Construction Industry Licensing Board (CILB):

A) appoint one (1) member for the term beginning October 21, 2008, to September 30, 2011.

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>
John D. Farinelli	7	Building Official Member	Comm. Greene Comm. Koons Comm. Marcus Comm. Kanjian Comm. Santamaria Comm. Aaronson

B) reappoint one (1) member for the term beginning October 1, 2008, to September 30, 2011.

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>
Mary Hinton	15	Consumer Member	Comm. Greene Comm. Koons Comm. Marcus Comm. Kanjian Comm. McCarty Comm. Santamaria Comm. Aaronson

SUMMARY: The Construction Industry Licensing Board was established by Special Act, Chapter 67-1876, Laws of Florida as amended. The Special Act sets forth the membership of the Board, which consists of twelve (12) members. The membership consists of two (2) general contractors, one (1) member of the following categories; building; residential; electrical; plumbing; HARV, roofing; swimming pool; architect; engineer and a building official. In addition, F.S. § 489.131 requires that we have three (3) consumer representatives. The above named have been recommended by their respective organizations. Memorandums were sent to the Board of County Commissioners on September 2, 2008, and September 4, 2008 advising of the vacant positions; No other nominations were received. Countywide (GB)

7. BOARD APPOINTMENTS

B. ENVIRONMENTAL RESOURCES MANAGEMENT
(Artificial Reef & Estuarine Enhancement Committee)

1. Staff recommends motion to approve: two (2) re-appointments and three (3) appointments of at-large members to the Artificial Reef and Estuarine Enhancement Committee (AREEC). Seats Nos. 4 and 5 are for a term of three (3) years beginning November 2, 2008, through November 1, 2011; Seat No. 9 is for a term of three (3) years beginning October 21, 2008, through October 20, 2011; Seat No. 10 is for a term of four (4) years beginning October 21, 2008, through October 20, 2012; and Seat No. 11 is for a term of three (3) years beginning October 21, 2008, through October 20, 2011.

<u>Reappoint</u> <u>Nominees</u>	<u>Seat No./Representing</u>	<u>Terms</u>	<u>Nominated By</u>
Skip Commagere	4 Commercial Scuba Diving	3	Comm. Marcus Comm. Koons Comm. Greene Comm. Santamaria Comm. Aaronson
Martin Murphy Sr.	5 Marine Industry	3	Comm. Marcus Comm. Koons Comm. Kanjian Comm. Greene Comm. Santamaria Comm. Aaronson
<u>Appoint</u> Greg Reynolds	9 Environmental Organization	3	Comm. Marcus Comm. Koons Comm. Kanjian Comm. McCarty Comm. Santamaria Comm. Aaronson
	<u>OR</u>		
Linda Humphries	9 Environmental Organization	3	Comm. Greene
Jim Bowser	10 General Member	4	Comm. Marcus Comm. Koons Comm. Greene Comm. Santamaria Comm. Aaronson
	<u>OR</u>		
Tom Warnke	10 General Member	4	Comm. Kanjian
Barbara Chudzik-Lea	11 General Member	3	Comm. Marcus Comm. Koons Comm. Kanjian Comm. Greene Comm. Santamaria Comm. Aaronson

SUMMARY: Resolution No. R08-1511 provides for an eleven (11) member AREEC. The membership consists of one (1) representative of the County Commission, one (1) representative of commercial SCUBA diving, one (1) representative of recreational SCUBA diving, one (1) representative of marine industry, one (1) representative of recreational fishing, one (1) representative of fisheries, one (1) representative of an environmental organization, two (2) representatives from local government and two (2) general members. On September 19, 2008, the Board was advised that three (3) seats were vacant and that the term of Seat Nos. 4 and 5 expire on November 1, 2008.
Countywide (HF)

C. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 21, 2008

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

OCTOBER 21, 2008

9. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 - COMMISSIONER JEFF KOONS, VICE CHAIR

C. District 3 - COMMISSIONER ROBERT J. KANJIAN

D. District 4 - COMMISSIONER MARY MCCARTY

E. District 5 - COMMISSIONER BURT AARONSON

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER ADDIE L. GREENE, CHAIRPERSON

10. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

**BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 21, 2008

<u>PAGE</u>	<u>ITEM</u>	
10	3C-13*	<u>REVISED MOTION & SUMMARY:</u> Staff recommends motion to approve, subject to receipt of funding from Florida Power & Light by October 28, 2008: Change Order No. 3 in the amount of \$1,977,035.15 to Contract No. R2008-0499 with Ranger Construction Industries, Inc. for construction of Okeechobee Boulevard from Royal Palm Beach High School Entrance to east of Florida's Turnpike. SUMMARY: Change Order No. 3 is for the construction of a portion of a 36" reclaimed water main along the west portion of the project. <u>Funding for this Change Order has been provided by FPL to the Water Utilities Department.</u> (Engineering)
40	5A-1	<u>ADD-ON:</u> Staff recommends motion to approve: issuance of a Request for Submittal for Grant Consulting Services. SUMMARY: The County is proposing a new process for grant writing consultants. From 1998 to 2008, the County had a single full service annual contract for grant writing services. We have identified approximately 25 individuals in various departments of the County that are involved in grant writing in some capacity. The new proposal tries to expand the number of grant writing consultants from one (1) to up to three (3) that the County will employ by identifying individuals and firms with specialized grant writing and tracking skills to be utilized by County departments as necessary. Under the proposal, the full service contract will no longer be utilized. Last year, the County spent \$86,149 in general revenue dollars on the annual contract. For FY 2008/2009, we will reduce the number available for grant writing and tracking to \$50,000 with fees negotiated on a grant by grant basis. <u>Countywide</u> (DW) (Admin/Legislative Affairs)
40	5C-1	<u>REVISED TITLE & SUMMARY:</u> Staff recommends motion to approve on preliminary reading and advertise for public hearing on November 18, 2008 at 10:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, providing that the updated Florida Fire Prevention Code shall be deemed adopted; providing for local amendments to the Florida Fire Prevention Code; <u>repealing and</u> replacing Chapter 12, Article IV of the Palm Beach County Code (codifying Ordinance 2004-073) in its entirety; providing for legislative findings; providing for applicability; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code; and providing for an effective date. SUMMARY: Pursuant to Chapter 633, Florida Statutes, the State Fire Marshal has adopted an updated statewide minimum fire safety code, known as the Florida Fire Prevention Code, in Rule Chapter 69A-60 of the Florida Administrative Code. This updated Florida Fire Prevention Code will become effective on December 31, 2008, and is based on the Florida 2006 editions of the National Fire Protection Association's Uniform Fire Code (NFPA 1) and Life Safety Code (NFPA 101). The local amendments to the Code include a revised fee schedule increasing plan review and inspection fees due to the increased cost of providing those services. Effective December 31, 2008, the County will enforce the updated Florida Fire Prevention Code with the Palm Beach County Local Amendments adopted by this Ordinance. (Fire Rescue)

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).